

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Ryosuke KAINUMA et al.**

Art Unit: **1794**

Application Number: **10/589,283**

Examiner: **Kevin M. Bernatz**

Filed: **August 14, 2006**

Confirmation Number: **5717**

For: **MAGNETIC THIN FILM, MAGNETORESISTANCE EFFECT
DEVICE AND MAGNETIC DEVICE USING THE SAME**

Attorney Docket Number: **062881**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 6, 2010

Sir:

This paper is submitted in response to the Office Action dated December 21, 2009.

In the Office Action, restriction is required between Group I (Claims 1-6) and Group II (Claims 7-34).

Applicants hereby elect the subject matter of Group I (Claims 1-6) for prosecution in this application. This election is made without traverse, and Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Application No. 10/589,283
Art Unit: 1794

Response to Restriction Requirement
Attorney Docket No. 062881

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/STEPHEN G. ADRIAN/
Stephen G. Adrian
Attorney for Applicants
Registration No. 32,878
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SGA/arf